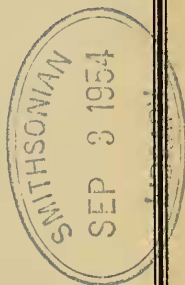


OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission



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OPINION 257

Rejection for nomenclatorial purposes of the work by Zimmermann (A. E. W. von) published in 1777 under the title *Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens* and acceptance for the same purposes of the work by the same author published in the period 1778—1783 under the title *Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen Thiere*

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY ZIMMERMANN (A.E.W. VON) PUBLISHED IN 1777 UNDER THE TITLE "SPECIMEN ZOOLOGIAE GEOGRAPHICAE, QUADRUPEDUM DOMICILIA ET MIGRATIONES SISTENS" AND ACCEPTANCE FOR THE SAME PURPOSES OF THE WORK BY THE SAME AUTHOR PUBLISHED IN THE PERIOD 1778—1783 UNDER THE TITLE "GEOGRAPHISCHE GESCHICHTE DES MENSCHEN, UND DER ALLGEMEIN VERBREITETEN VIERFÜSSIGEN THIERE"

RULING :—(1) In the work entitled *Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens* published in 1777 Zimmermann (A. E. W. von) did not apply the principles of binominal nomenclature, as required by Proviso (b) to Article 25, and accordingly the above work is not available for nomenclatorial purposes.

(2) In the work entitled *Geographische Geschichte des Menschen und der allgemein verbreiteten vierfüssigen Thiere* published in the period 1778—1783 Zimmermann did, however, apply the principles of binominal nomenclature, and accordingly the above work is available for nomenclatorial purposes.

(3) The work Zimmermann, 1777, *Specimen Zoologiae geographicae* is hereby placed on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* as Work No. 7.

(4) The work Zimmermann, 1778—1783, *Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen Thiere* is hereby placed on the *Official List of Works Approved as Available in Zoological Nomenclature* as Work No. 5.

I.—THE STATEMENT OF THE CASE

The present application (Registered Number ZN.(S.) 182) arose out of correspondence in 1944 between Mr. Francis Hemming, Secretary to the International Commission and Dr. Wilfred H. Osgood (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*). The relevant considerations were embodied by Mr. Hemming on 31st March 1948 in the following note which constitutes the application submitted in this case and in addition, gives particulars of the consultations held by Mr. Hemming up to that date :—

The nomenclatorial status of the works by Zimmermann (A.E.W. von) entitled "Specimen Zoologiae geographicae" of 1777 and "Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen Thiere" published in the period 1778—1783

Note by FRANCIS HEMMING

(Secretary to the International Commission on Zoological Nomenclature)

The purpose of the present note is to examine the question of the availability under the *Règles* of the following works by A. E. W. von Zimmermann : (1) the work entitled *Specimen Zoologiae geographicae Quadrupedum, Domicilia et Migrationes sistens* published in 1777 ; (2) the work entitled *Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen Thiere* published in the period 1778—1783. These works are of considerable interest to mammalogists because of the new names published in them, and the lack of a clear ruling as to their availability for nomenclatorial purposes has already in one conspicuous case discussed below led to confusion and name-changing. Further examples of this type may be expected to arise unless the position is promptly clarified by the International Commission.

2. So far as the International Commission is concerned, this problem was first brought to notice as long ago as 1915 when Dr. Marcus W. Lyon, Jr. (*Howard University, Washington, D.C., U.S.A.*) asked for a ruling on the availability of the specific name *virginiana* Zimmermann, 1780, as published in the combination *Dama virginiana*. No action was taken on Dr. Lyon's application, the papers relating to which were among those transferred to my custody in May 1939. This is one of the considerable number of cases with which the Commission for years found itself unable to deal, owing to the fact that it was not prepared to address itself further to the question of the interpretation of the expression "nomenclature binaire" as used in Proviso (b) to Article 25. This long-standing obstacle will, it may be hoped, be removed by the forthcoming International Congress of

Zoology at Paris, at which the Commission is under instructions from the Twelfth International Congress of Zoology, Lisbon, 1935, to submit a comprehensive Report (Lisbon Session, 5th Meeting, Conclusion 3) (1943, *Bull. zool. Nomencl.* 1 : 45). In the draft Report¹ which I have in preparation on this subject for submission to the International Commission, I have shown conclusively (as it seems to me) that the expression "nomenclature binaire" as used in the foregoing portion of Article 25 can only have a meaning identical with that of the expression "nomenclature binominale". I propose also to include a recommendation that the Congress should substitute the latter expression for the ambiguous and unsatisfactory expression "nomenclature binaire" wherever that expression at present occurs in the *Règles*. It is on the basis of the foregoing conclusions that I examine below the question of the availability of the two books by Zimmermann which form the subject of the present note.

3. I have examined the copies of both the foregoing works in the Library of the Zoological Society of London, and this examination shows :—

- (1) that Zimmermann's *Specimen Zoologiae geographicae* (a work written in Latin), published in 1777 does not satisfy the requirements of Article 25, for in it Zimmermann did not apply the principles of binominal nomenclature ;
- (2) that the work by Zimmermann in the German language entitled *Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen Thiere*, which was published in the period 1778—1783, is a work similar in general plan to the slightly earlier *Specimen Zoologiae geographicae* but is a quite distinct work differing from the *Specimen* in a number of respects, of which the most important from the present point of view is that in the *Geographische Geschichte* Zimmermann clearly applied the principles of binominal nomenclature,

¹ The Draft Report here referred to was submitted to the International Commission at its Session held in Paris in 1948 under cover of a note numbered I.C.(48)5 (1950, *Bull. zool. Nomencl.*, 3 : 20—21). This draft was approved by the Commission at the Fourth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Thursday, 22nd July 1948 at 0900 hours (1950, *Bull. zool. Nomencl.*, 4 : 63—66) and was later approved, first, by the Section on Nomenclature, and, finally, by the Thirteenth International Congress of Zoology in Concilium Plenum. The Report, so approved and adopted (1950, *Bull. zool. Nomencl.*, 5 : 152—167), completely removes all the doubts which formerly existed as to the interpretation of Proviso (b) to Article 25 by providing for the substitution of the expression "nomenclature binominale" for the ambiguous expression "nomenclature binaire", the use of which had been the cause of all the difficulties which had previously been encountered in interpreting this provision in the *Règles*.

thereby giving this work a status of availability under the *Règles**.

4. In addition to the question of the availability of the foregoing works, it will be necessary for the Commission to consider whether, having regard to the established nomenclatorial practice of mammalogists, the acceptance of either or both of these works would be acceptable or whether it would be better in the interests of nomenclatorial stability for the Commission to use its Plenary Powers to suppress one or other or both of these works. This was the first aspect of the question to which, after the re-opening of the London Secretariat in the middle of the war, I addressed myself in the hope that I might thereby make some progress with the ancient application relating to the name *Dama virginiana* Zimmermann, 1780, referred to in paragraph 2 of the present note.

5. With the foregoing object in view I wrote a letter on 6th August 1944 to Dr. Wilfred H. Osgood (*Chicago Natural History Museum, Chicago, Illinois, U.S.A.*), asking for his views on the question of the correct name for the Virginia Deer. In his reply dated 12th October 1944, given below, Dr. Osgood gave his grounds (a) for rejecting Zimmermann's *Specimen Zoologiae geographicae* and (b) for accepting that author's *Geographische Geschichte* :—

Allen in 1902 (*Bull. Amer. Mus. Nat. Hist.*, 16, pp. 12—22) attempted to validate the names of Zimmermann's *Zoologiae Geographicae* 1777, but he has had only a very small following. He says : “ Zimmermann's two works are constructed on nearly the same general plan. . . . The latter, however, is not merely a

* By way of explanation of the conclusions here reached it may be noted that in the Latin work entitled *Specimen Zoologiae geographicae* of 1777, Zimmermann was quite inconsistent in the kind of nomenclature which he employed. For example, in the case of the alleged, but, as I consider non-existent, generic name *Dama* Zimmermann, 1777, what he did was to place a considerable number of species in the genus *Cervus* and to apply to those species names which were sometimes binominal and sometimes not. Where those names were binominal, this was often due to his using binominal names published by previous authors. If we look² at page 532, the page where the generic name *Dama* Zimmermann is alleged to have been published, we find that there Zimmermann dealt with Species Nos. 4 to 7 of the genus *Cervus* and that he applied to those species the following names :—(4) *Dama* ; (5) *Cervus elaphus* ; (6) *Cervus Porcinus* ; (7) *Dama virginiana*. It will be seen at once that in using these names Zimmermann was following no logical system at all and certainly was not employing the binominal system of Linnaeus.

When we turn to the *Geographische Geschichte*, we find however that he was consistently binominal. Each species was introduced under a vernacular name, which was followed by a binominal scientific name, accompanied either by a diagnosis or by a bibliographical reference³. Moreover, he gave at the end of this works checklists of the species of the different faunas of the world, the entries in these checklists consisting (i) of the number assigned by him to the species concerned, (ii) of the vernacular name of the species concerned, and (iii) of its scientific name in due binominal form.

² This page is reproduced in facsimile on page 238 of the present *Opinion*.

³ See facsimile of page 129 of volume 2 of the *Geographische Geschichte* reproduced on page 239 of the present *Opinion*.

German translation of the first, but an *essentially different work*". Later on he says: "while the *Geographische Geschichte* has been cited by many subsequent writers . . . the *Zoologiae Geographicae* has been uniformly neglected". To this he adds that "careful scrutiny shows that both are equally entitled to recognition". I cannot agree to this and believe the uniform neglect of the *Zoologiae Geographicae* was justified. At least two good authorities have expressed the opinion that this work is non-binomial, namely Sherborn (*Index Animalium*, Sect. Prima, p. lvi, 1902) and Palmer (*Index Gen. Mam.*, p. 400, under *Marmota*, 1904). Allen went so far as to list all species of American deer under *Dama*, but so far as I am aware, no American mammalogist has followed him. It has been the practice to accept the *Geographische Geschichte*, but not the *Zoologiae Geographicae* . . .

6. During my recent visit to the United States (December 1947), I discussed this matter, first, at Washington, with Dr. Remington Kellogg (*United States National Museum*) and later, at Chicago with Dr. Philip Hershkovitz (*Chicago Natural History Museum*), both of whom are in agreement with the view expressed by Dr. Osgood in the letter quoted in the immediately preceding paragraph.

7. In the circumstances, it appears to me to be clear (1) that the Zimmermann's *Specimen Zoologiae geographicae* of 1777 is not an available work for the purposes of zoological nomenclature, but that the same author's *Geographische Geschichte* of 1778—1783, is an available work, (2) that, having regard to the practice of mammalogists, as now ascertained, the rejection of the *Specimen Zoologiae geographicae* will not only not cause any undesirable name-changing, but will actively promote stability in the nomenclature of the mammals.

8. I recommend that the International Commission should, first, take a decision on the question of principle involved, namely whether, in the case of each of the works discussed above, Zimmermann complied with the requirements of Proviso (b) to Article 25 of the *Règles*, and, having done so, should take a decision on the individual problem submitted to it by Dr. Lyon thirty-three years ago, namely whether the generic name *Dama* Zimmermann, 1780, is an available name and whether the trivial name *virginiana* Zimmermann, 1780 as published in the combination *Dama virginiana*, is an available name for the Virginia Deer⁴.

⁴ When the Commission came to consider the case of the name *virginiana* Zimmermann, 1780, as published in the combination *Dama virginiana* (Paris Session, 14th Meeting, Conclusion 43) (1950, *Bull. zool. Nomencl.* 4 : 549—551), it decided (i) to seek further views from mammalogists before it took a decision, but (ii) to advise mammalogists, pending the outcome of the proposed consultations, not to transfer the name *Dama* from the Fallow Deer of Europe to the Virginia Deer of America. An application for a substantive decision in favour of the retention of the above name for the European species has since been received from Dr. T. C. S. Morrison-Scott (*British Museum (Natural History), London*) and will, it is proposed, be published in an early Part of the *Bulletin of Zoological Nomenclature*.

Facsimile of page 532 of Zimmermann, 1777, "Specimen Zoologiae geographicae Quadrupedum, Domicilia et Migrationes sistens"

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ria Kalkassensi sub quinquagesimo circiter latitudinis gradu, sub *Oronis* appellatione (α) reperiri. Quum regiones istae magis ad meridiem vergant, quam quae in Europa *maebles* nutriant: hinc meo quidem iudicio fluit, illas majori frigoris vi premi. Fines itaque quos inter *maebles* vivunt, si ab *Europa* numerandi initium feceris, semper oblique magis meridiem versus ad *Americam* decurrunt ejusque quadragesimum quintum circiter gradum attingunt. Quodsi *America septemtrionalis* pluribus successu temporis incolis frequentabitur; fines isti Europam versus magis ascendent.

3.) *Dama Linn.* Num. 5. Vid. Cap. II.

β . *Cornibus toretibus.*

4.) *Cervus Elaphus Linn.* Num. 3. Vid. Cap. II.

5.) *Cervus Axis.* l' *Axis.* Buffon. T. XI. Tab. XXXVIII & XXXIX. qui nomine cervi maculati *Bengalensis* insigniri posset. *Bengalam* enim (y), *Ceilonem* *Javam*que inhabitat (z). *Pennantus* majorem hujus generis animantem sub *great Axis* nomine addidit. Vide etiam Cap. I. sub Cervo.

6.) *Cervus porcinus.* *Porcine Deer.* Pennant. Syn. p. 52. Tab. VIII. fig. 2. *Cornibus tricuspibus* & corpore multo crassiore brevioribusque cervo nostro pedibus praeditus est. *Clivius* nobilis Angliae hunc ex *India Orientali* in *Angliam* attulit, qui forsan sola nostratis varietas est.

7.) *Dama Virginiana.* *Virginian Deer.* Pennant. Sy-

(z) Allgem. Reif. T. VII. p. 21. (y) Voyages des Hollandois T. VII. (z) Pennant. l. c. p. 52.

Facsimile of page 129 of volume 2 of Zimmermann, 1780, "Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüßigen Thiere"

Der Hirsch.

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so groß, als der Hirsch. Zweyten Theils zweite Abtheil. 16ter Abschnitt.

Zu dem dort beygebrachtene setze ich noch hinzu, daß in China, eine kleinere Varietät des Dammhirsches lebt, welche nicht höher ist, als 2 Fuß 4 Zoll. Das Geweihe ist breit und vielzackigt. Die Farbe braun ohne weiße Flecken, aber mit etwas hellern Haarpöpfen. Die Beine sind kurz. Zwey Thiere dieser Art lebten in dem Thiergarten von Versailles u).

B.

43) Der Hirsch.

Ich gestehe, daß ich immer zweifelhafter werde, ob unser Hirsch sich auch in Süd-Amerika wirklich finde. Erst. Band. S. 230. u. f.

44) Der Virginische Hirsch.

Dama Virginiana. Raji synops. quadr. p. 86.

Fallow Deer, Lawson Carolina p. 123. Virginian Deer. Pennant Syn. p. 51. Tab. IX. fig. 2. Die Hörner.

Die Hörner sind stark vorwärts, halb zirkeiförmig gebogen; habe keine Stirnzinken; oberwärts mit vielen Enden besetzt. Größe eines Dammhirsches. Farbe graulich braun. (ziemlich helle.) Schwanz länger als am Reh. Eine völlig von unsern Dammhirsche verschiedene Art. Bewohnt in großen Heerden Carolina v), Virginien, Louisiana w), und geht vielleicht bis Panama x) hinunter.

45) Der

u) Buffon Supplem. III, p. 124.

v) Lawson a. a. O.

w) Du Mont Mem. sur la Louisiane T. I. p. 75. Allg. Reis. XVII. S. 87.

x) Allg. Reis. XVI. S. 324.

9. In considering the general question of the availability of the works by Zimmermann discussed in the present note, the Commission will, I think, find it helpful to have before it a facsimile reproduction of a representative page of each of these books. The pages which I have selected are page 532 of the *Specimen Zoologiae geographicae* and page 129 of volume 2 of the *Geographische Geschichte*, published in 1780, since, as these are the pages on which the name *Dama* appears in these two works, facsimiles of them will be useful when the Commission comes to consider this individual name. For these facsimiles the Commission is indebted to the Zoological Society of London from whose copies of these works were taken the photostats from which these facsimiles have been prepared.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. *Issue of Public Notices* : As has been explained in the preceding paragraph, Mr. Hemming's note of 31st March 1948, there quoted, not only constitutes the application submitted in this case, but contains also full particulars of the subsequent consultations up to that date. It is only necessary at this point to add that in the autumn of 1947 it was considered prudent to provide for the contingency that the International Commission might decide in favour of the availability, under the *Règles*, of Zimmermann's *Specimen Zoologiae geographicae* of 1777, but might at the same time reach the conclusion that in the interests of stability in zoological nomenclature, that work ought to be suppressed under its Plenary Powers. Accordingly, on 20th November 1947 a notice of the possible use by the International Commission of its Plenary Powers in this case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of this notice elicited no objection to the use of the Commission's Plenary Powers for the purpose of suppressing the *Specimen Zoologiae geographicae* for nomenclatorial purposes.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

3. The question of the interpretation of Proviso (b) to Article 25 was the first of the problems connected with the wording of the

Règles to be considered by the International Commission on Zoological Nomenclature at its Paris Session in 1948. The Commission, after examining the draft Report submitted to it by the Secretary, decided to approve and adopt the recommendations so laid before it. The Commission accordingly agreed (1) to report to the Paris Congress that, in its opinion, the expression “nomenclature binaire” as used in the foregoing Proviso had the same meaning as the expression “nomenclature binominale”, and (2) to recommend the substitution of the latter expression for the equivocal expression “nomenclature binaire” (Paris Session, 4th Meeting, Conclusion 3) (1950, *Bull. zool. Nomencl.* 4 : 63—66). It was in the light of the decision so taken that the International Commission considered the question of the availability of Zimmermann’s *Specimen Zoologiae geographicae* of 1777 and of the same author’s *Geographische Geschichte* of 1778—1783 at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission setting out the decision reached by it in this case at the foregoing meeting (Paris Session, 14th Meeting, Conclusion 41) (1950, *Bull. zool. Nomencl.* 4 : 545—548) :—

THE COMMISSION agreed :—

- (1) that the book by Zimmermann (A.E.W. von) published in 1777 under the title *Specimen Zoologiae geographicae, Quadrupedum Domicilia et Migrationes sistens* was not available for nomenclatorial purposes under the *Règles*, Zimmermann not having applied therein the principles of binominal nomenclature as prescribed by Proviso (b) to Article 25, and therefore that the names attributed to Zimmermann as from the foregoing work possessed no nomenclatorial status therefrom ;
- (2) that in the book entitled *Geographische Geschichte des Menschen, und der allgemein verbreiteten vierfüssigen*

Thiere, nebst einer hierher gehörigen zoologischen Weltcharte, published in the period 1778—1783, Zimmermann (A.E.W. von) had complied with the requirements of Article 25, that, in consequence, the foregoing work was available for nomenclatorial purposes, and that any new name, accompanied by an indication, published in it, possessed status under the *Règles* as from the date of being so published ;

- (3) to render an *Opinion* recording the decisions specified in (1) and (2) above.

4. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on Monday, 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 118).

5. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

6. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

7. At its meeting held at Copenhagen in August 1953, the Fourteenth International Congress of Zoology decided to insert a provision in the *Règles* establishing an "Official Index" to be styled the *Official Index of Rejected and Invalid Works in*

Zoological Nomenclature and directing the insertion therein of the title of any work which the International Commission might either reject under its Plenary Powers or declare to be invalid for the purposes of zoological nomenclature (1953, *Copenhagen Decisions zool. Nomencl.* : 23—24). The Congress decided also to insert in the *Règles* a provision establishing an “ Official List ” to be styled the *Official List of Works Approved as Available in Zoological Nomenclature* and directing the insertion therein of the title of any work which the International Commission might either validate under its Plenary Powers or declare to be an available work, together with any supplementary decisions which the International Commission might take in regard to any aspect of that work (1953, *Copenhagen Decisions zool. Nomencl.* : 24). Since the foregoing decisions apply to past, as well as to future, decisions by the International Commission in cases of this kind, the opportunity presented by the preparation of the present *Opinion* has been taken to record the insertion (a) in the foregoing *Official Index* of the title of Zimmermann's *Specimen Zoologiae geographicae* of 1777, and (b) in the foregoing *Official List* of the same author's *Geographische Geschichte* published in the period 1778—1783.

8. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

9. The present *Opinion* shall be known as *Opinion Two Hundred and Fifty-Seven* (257) of the International Commission on Zoological Nomenclature.

DONE in London, this Eighteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING

